

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

                                )  
**ROYAL ALLIANCE ASSOCIATES, INC.**,                                  )  
                                )  
**Plaintiff,**    )  
                                )  
v.    ) **Civil Action # 1:08cv449 (LMB/JFA)**  
                                )  
**BRANCH AVENUE PLAZA, L.P.,**    )  
                                )  
**Defendant.**    )  
\_\_\_\_\_  
                                )

**DEFENDANT'S CROSS – MOTION FOR SUMMARY JUDGMENT**

COMES NOW Defendant, Branch Avenue Plaza, L.P., and pursuant to FRCP Rule 56, files the following Cross-Motion for Summary Judgment requesting that the Court find that Plaintiff Royal Alliance is required to arbitrate this matter through FINRA and denying Plaintiff's request for a Permanent Injunction. Support for this Motion is set out in the attached Memorandum in Support, which details that as a member of FINRA, Royal Alliance is bound to arbitrate this dispute, and its request for injunctive relief against the arbitration should be denied.

BRANCH AVENUE PLAZA, L.P.,  
By Counsel,

GRECO & GRECO, P.C.  
1300 Old Chain Bridge Road  
McLean, Virginia 22101  
Telephone (703) 821-2777  
Facsimile (703) 893-9377

By: /s/ W. Scott Greco  
W. Scott Greco (VSB # 37341)  
[wsgreco@grecogrecolaw.com](mailto:wsgreco@grecogrecolaw.com)  
Frederick D. Greco (VSB #4812)  
Counsel for Defendant Branch Avenue Plaza, L.P.

### Certificate of Service

I hereby certify that I served the foregoing by email service through the Court's ECF system on this 22nd day of September, 2008 to the following:

Marianne R. Casserly, Esquire  
ALSTON & BIRD LLP  
950 F Street NW  
Washington, DC, 20005  
[marianne.casserly@alston.com](mailto:marianne.casserly@alston.com)

Tod Sawicki, Esquire  
Alston & Bird LLP  
1201 West Peachtree Street - ACP 21  
Atlanta, Georgia 30309-3424  
Email: [tod.sawicki@alston.com](mailto:tod.sawicki@alston.com)

/s/ W. Scott Greco  
W. Scott Greco (VSB # 37341)  
Counsel for Defendant Branch Avenue Plaza  
GRECO & GRECO, P.C.  
1300 Old Chain Bridge Road  
McLean, Virginia 22101  
Telephone (703) 821-2777  
Facsimile (703) 893-9377  
[wsgreco@grecogrecolaw.com](mailto:wsgreco@grecogrecolaw.com)